

Attorney Docket No. StankovicM\_P\_1\_04

Application No. 10/791,583

**REMARKS/ARGUEMENTS**

Inventions I and II are said to be related as combination and subcombination. These inventions are not distinct as Claims 1-15 and 20 require the particulars of the alleged subcombination as claimed by Claim 16 for patentability. In particular, Claim 11, which depends directly from Claim 1, recites all of the elements exactly as are recited by Claim 16, as shown below.

Claim 11. The pocket clip cutting element unit, as recited in Claim 1, further comprising:

- i) a pocket clip arm, said pocket clip arm having a first end, a second end, and a first surface;
- ii) means for attaching said pocket clip arm to said writing instrument;
- iii) said cutting element functionally attached to said first surface of said pocket clip arm proximate said first end of said pocket clip arm, wherein said pocket clip cutting element unit is positionable about said writing instrument providing for a letter opener writing instrument.

Claim 16. A pocket clip cutting element unit for use with a writing instrument, comprising:

- i) a pocket clip arm, said pocket clip arm having a first end, a second end, and a first surface;
- ii) means for attaching said pocket clip arm to said writing instrument;
- iii) a cutting element functionally attached to said first surface of said pocket clip arm proximate said first end of said pocket clip arm, wherein said pocket clip cutting element unit is positionable about said writing instrument providing for a letter opener writing instrument.

Thus, to search the invention recited by Claims 1 – 15 and 20, Examiner will have already searched for the invention recited by Claims 16 – 19.

Furthermore, not only are the purportedly inventions not distinct, additional classes do not have to be searched.

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### CONCLUSION

Given the above comments and arguments the withdrawal of the restriction requirement is respectfully requested.

If there are any questions or comments regarding the above, please contact me at the information given below.

Respectfully submitted,  
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